

TOWN OF TRURO
BOARD OF SELECTMEN
MEETING OF TUESDAY, JUNE 26, 2007

The Truro Board of Selectmen met for their weekly session on Tuesday, June 26, 2007 at 6:00 p.m. at the Truro Town Hall, 24 Town Hall Road, Truro. In attendance were: Chairman Alfred Gaechter, Vice-Chairman Gary Palmer, Clerk Christopher R. Lucy, Curtis Hartman, Jan Worthington, Town Administrator Pamela Nolan, Assistant Town Administrator Charleen Greenhalgh, Administrative Secretary Julie DuPree, Carol Nickerson, Martha Nagy, Paul Morris, Linda Maloney, Kevin Kuechler, Ellen Schiereck, William Golden, Bob Weinstein, Steve Williams, Martha Sedgewick, Lisa Olson, Veronica Farrell, Jane Peters, John Hopkins, Paul Asher-Best, Ansel Chaplin, Phil Smith, Diana Worthington, Caroline Herron, Tony Hodgin, Kevin Mullaney of the Banner and Steve Desroche of the Cape Codder.

Mr. Gaechter convened the meeting at 6:00 p.m.

Minutes: Mr. Palmer moved to approve the minutes of the June 9, 2007 as amended. Mr. Hartman seconded it. Vote: 5-0, unanimous.

Public Comment: Bob Weinstein, speaking as a private citizen, requested that the Board has Town Counsel review a letter received by the Building Inspector prepared by legal counsel for the Department of the Interior and signed by CCNS Supt. Price. He stated that the town has a Building Inspector who either cannot read, or comprehend, or chooses to ignore, the Zoning Bylaws. He said this will affect 70% of the land in Truro. After discussion, members of the Board agreed that it merited review. Mr. Gaechter directed that the letter be referred to Town Counsel and the matter put on the next agenda.

Steve Williams then addressed the same issue, stating that it is a singular, important case and should not be treated trivially. He said the real issue is a town zoning matter and they should be enforcing the zoning bylaws. He gave a history of the permitting for this piece of property. He feels it is a matter of the town standing by their original commitment to the NPS, and just because a mistake was made, the town does not have to perpetuate it. Mr. Gaechter thought it would be useful to have Mr. Weinstein and Mr. Williams attend the next meeting, and he would also like to have Town Counsel there. Mr. Hartman suggested also having the Chair of the Planning Board attend; this goes beyond the Outermost House. This sparked discussion on just what the focus of the meeting should be and whether the entire Planning Board should be invited or if that was not proper. Mr. Weinstein said the Building Inspector should also be there. It was agreed that the NPS should be represented, and Mr. Palmer said the property owner should be notified as well. The date of this discussion was set for July 17th, and the Town Administrator was directed to defer as many items as she could to another meeting.

Parking lot berm at William Gray Square: Mr. Morris reported that the berm has been placed and will be painted with reflective yellow paint. Stanchions with reflectors will be installed. Planters can be added, but he didn't want to cut into the road at this stage. He has heard some good comments and some bad comments on it. The biggest problem they will have is with plowing. Ms. Worthington felt it needed some softening. Mr. Hartman agreed, adding that it is losing charm, but he is willing to wait a season. Mr. Morris said that it was designed to be removed easily if needed. Mr. Williams told the Board he feels it is a disaster waiting to happen. He provided the Board with a diagram of an alternate parking plan that would create a row of parking along the park, and a single row of parking along the side of the square across from Cobb Library. Ms. Worthington questioned the need for a stop sign at the end of Castle Road. After further discussion, the consensus was to put up the stanchions and revisit it in the fall. Ms.

Nolan was directed to contact Chief Thomas regarding a stop sign at Castle Road.

Tercentennial Celebration Committee: Ms. Peters told the Board that they were here to get feedback. She outlined their proposal for a four-day weekend of events on July 16-19, 2009. They feel they will not need a paid professional until the last year. Mr. Hartman urged them to consider bringing someone on board as soon as possible. This person could better anticipate problems if they were in on the entire process. Mr. Chaplin agreed with that; they need the BOS to find them some funding. Mr. Gaechter requested a specific plan with the hours needed, and if the \$15k already authorized could sustain them until the next budget, how much they would need to get through this fiscal period. He directed the Town Administrator to put this back on an agenda when appropriate. Mr. Hartman suggested they talk to the Town Administrator about services they could get for a modest expenditure. Ms. Peters noted that the Committee would like to have the BOS submit a plan for their own event.

WROC contract for services: Ms. Schiereck brought the contract with Advantage Computer Services to create a database for water quality testing data. **Mr. Palmer moved to approve the contract with Joseph Hevener, d/b/a Advantage Computer Services. Mr. Hartman seconded it. Vote: 5-0, unanimous.**

Appointments/reappointments: Mr. Gaechter explained that their reappointment policy calls for the submittal of a request for reappointment writing; there are some members who have not yet done this. Only two members are not seeking reappointment, Howard Irwin of the ConsCom, and Skip Dickerson of the Concert Committee. Letters of gratitude for their service will be sent to them. Additionally, the Board has received multiple applications to serve as an alternate of the BOA. Mr. Lucy reported that Eric Morea and Denis Mooney do want reappointment to the PHC. Mr. Gaechter said that they will be reappointed this evening, but must get their request to the Board Secretary in writing. **Mr. Gaechter moved to reappoint, with the exception of the BOA alternate position, all those members who have indicated they would like to be reappointed, and to hold off on those who have not indicated they want to be reappointed, and that the others will be placed on a future agenda. Mr. Palmer seconded it. Vote: 5-0, unanimous.**

Interview: Alternate, BOA: Ms. Maloney withdrew her application. As Deputy Assessor, she has volunteered to hold this position because they have had difficulty in the past finding someone to serve. She noted that the BOS has two applicants this year.

Mr. Asher-Best gave the Board an overview of his municipal experience of 20 years in property appraisal and 17 years in assessment administration. He has recently retired. He told the Board that he would like to be part of the solution rather than just a critic. Mr. Hartman asked why he had been critical of the BOA. Mr. Asher-Best said it was late tax billing. Mr. Palmer questioned him about the allegations that he did not work well with the BOA when he was the BOS liaison. Mr. Asher-Best said that was just one instance when he questioned the BOA regarding what he felt was a violation of the Open Meeting Law.

Mr. Hopkins told the Board that he would like to serve the town since he has moved back. Some Boards would be a conflict of interest for him, and this Board would not. He hasn't skills in

assessing, but with the learning curve, the alternate position is perfect because they rarely vote. As building contractor, he has built a lot of what is being assessed, and has knowledge of values. Mr. Palmer questioned if he would have time to attend assessing school. Mr. Hopkins indicated that he would. The Board deferred the appointment to their July 10th meeting so they can receive and consider the recommendation of the Chair of the BOA.

Interview: Conservation Commission: Tony Hodgkin explained this is his second application to serve on this Commission. He finds it interesting, and noted that he does not have the training that a lot of the members do. He is a former history teacher, and does his homework. There would be no conflict of interest in his serving. He would like the opportunity to give it his all. He was asked if he could separate his personal views from the conservation laws and he said that he could. Mr. Gaechter informed his colleagues that the Chair of the ConsCom had called with her personal support for this candidate. **Mr. Gaechter moved to appoint Tony Hodgkin to the Conservation Commission. Mr. Hartman seconded it. Vote: 5-0, unanimous.**

Interview: Town Building Committee: Veronica Farrell would like to move from an alternate to fill the vacancy of Deborah Paine. She feels that she has just begun. She has no experience with commercial buildings, and it is something she wants to do. She has learned a lot as an alternate and has more to learn. She would like to be a full member. **Mr. Palmer moved to appoint Veronica Farrell to fill an unexpired term on the Town Building Committee. Mr. Gaechter seconded it. Vote: 5-0, unanimous.**

Interview: ZBA alternate member: Ms. Nolan explained that Mr. Golden had to leave to attend the Planning Board meeting. She questions this appointment because there may be a conflict. She would like to get an opinion on this from Town Counsel. Mr. Palmer said that he feels it is bad policy to have the same person sitting on regulatory and adjudicatory Boards. He could support Mr. Golden for either position, but not for both. Town Counsel's opinion will be sought.

Policy Memorandum #31, Written Complaints and Communication: Mr. Hartman volunteered to rewrite this policy. He will bring a draft for review in two weeks.

Response to letter to Provincetown re: PLOG: The Board discussed how they would like to respond to Provincetown. Mr. Palmer noted that the purpose of PLOG was open and clear communication between the two communities, and Provincetown seems to have rejected that. He opined that they should close down the operation at North Union Field until the two Boards sit down together. Ms. Nolan said she has spoken to the new Town Manager and she and the mostly new Provincetown BOS have a sincere desire to sit down and discuss what PLOG is supposed to be. Mr. Kuechler, the Chair of the WROC, told the Board that he has been very frustrated, but he urged in spite of that, that the two Boards get together and get Provincetown to reaffirm their commitment to PLOG. After discussion, the Board agreed to approach the Provincetown Board regarding a joint meeting, but with strict guidelines: a meeting date and agenda for the next PLOG meeting. Mr. Gaechter stated that they should require a firm commitment from Provincetown of every aspect of the IMA.

Town Administrator's Report: (action items)

- Received a letter from Provincetown stating that the water pressure has been increased along Route Six. She was directed to provide Chief Thomas, Chief Prada, and the TCS with

copies.

Selectmen/Liaison Reports: (action items)

Hartman: -Requested a timeline on the new website. Ms. Nolan said it will go up as quickly as possible. Mr. Delius is working in tandem with Cristian Paul. She read aloud a memo from the IT Director with the technical details of what needs to be accomplished.

Lucy: -Commented on the Public Comment period this evening. He cautioned the Board that they were very close to violating personnel's rights by allowing the criticisms of the performance of the Zoning Enforcement Officer. It has to stop abruptly in the future. This sparked a discussion on the Selectmen's role in acting on an appeal of another Board's opinion, and on the concerns raised during the Public Comment. Mr. Lucy said they were close to stepping on the toes of the process.

Gaechter: -Reported that FinCom will have input for them on the fees, but cannot meet until mid-July.

Worthington: -Reported that the Beach Supervisor informed her that the recycling bins are in place at the beaches.

- Requested a timeline for hiring a new Harbor Master. Ms. Nolan said that she received thirteen applications. Interview will not be held until after the 4th of July week. She feels she will need to have second, and possibly third, interviews. Mr. Silva and Ms. Greenhalgh will sit in on the interviews with her. She estimated it would be mid-August.

Next week's agenda: The Board will not meet.

Other business: Mr. Palmer moved to approve the request from the Pamet Harbor Club, Inc. for eight one-day all alcoholic beverages licenses. Mr. Lucy seconded it. Vote: 5-0, unanimous.

At 8:08 p.m. Mr. Gaechter moved to convene in Executive Session under the provisions of MGL Chapter 39, Section 23B to consider personnel matters and to not reconvene in Open Session. Roll Call Vote: Hartman, aye; Palmer, aye; Gaechter, aye; Lucy, aye; Worthington, aye. 5-0, unanimous.

Alfred Gaechter, Chairman

Gary Palmer, Vice-Chairman

Christopher R. Lucy, Clerk

Curtis Hartman

Janet W. Worthington

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